

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, November 19th, 2025, 6:00 pm

3 Providence City Office Building, 164 North Gateway Dr., Providence Ut

4

5 To view the video recording of the meeting please visit our YouTube channel found [\*\*HERE.\*\*](#)

6

7 **HR. MIN. SEC.** above agenda items are timestamps of the YouTube recording.

8

9 **Call to Order:** Robert Henke

10 **Chair Roll Call of Commission Members:** John Petersen, Bob Perry, Bob Henke, Michael Fortune, Julie  
11 Martin and Joe Chambers.

12 **Staff in Attendance:** City Manager Ryan Snow, Community Development Director Skarlet Bankhead and City  
13 Recorder Ty Cameron.

14 **Pledge of Allegiance:** Bob Perry

15

16 **7 MIN. 20 SEC.**

17 ➤ **Item No. 1 Approval of Minutes:** The Planning Commission will consider approval of the minutes  
18 of October 8th, 2025. [\*\*\(MINUTES\)\*\*](#)

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20 • Bob Henke called for the approval of the minutes of October 8<sup>th</sup>, 2025.

21 • Julie Martin indicated that she appeared online and voted via the hand gesture icon online.

22

23 **Motion to approve the minutes of October 8<sup>th</sup>, 2025- Michael Fortune. 2<sup>nd</sup>- Julie Martin.**

24 **Vote:**

25 **Yea- John Petersen, Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.**

26 **Nay-**

27 **Abstained-**

28 **Absent-**

29

30 **Motion passed unanimously. Minutes approved.**

31

32 **Public Comments:** Citizens may express their views on issues within the Planning Commission's jurisdiction.

33 The Commission accepts comments: in-person, by email [providencecityutah@gmail.com](mailto:providencecityutah@gmail.com), and  
34 by text 435-752-9441. By law, email comments are considered public record and will be shared  
35 with all parties involved, including the Planning Commission and the applicant.

36

37 • Chair Henke opened the floor for public comments, clarifying that this portion was for anything not  
38 related to what was on the agenda, as he assumed most attendees were present for agenda items. Staff  
39 confirmed there were no comments received via email for non-agenda items.

40 • No one from the public came forward with comments on non-agenda matters, and the public comment  
41 period was closed.

46

47 **Public Hearings:**

48

49 **9 MIN. 50 SEC.**

50

51 ➤ **Item No. 2 Wildland Urban Interface proposed code amendment:** The Providence City Planning  
52 Commission will take comments and questions from the public regarding a proposed code amendment  
53 to Providence City Code 9-6-7 & 10-5-7 as it relates to the city's Wildland Urban Interface Code

- 54 • Chair Henke opened the public hearing for the Wildland Urban Interface proposed code  
55 amendment. He asked if anyone present wished to speak specifically to this item. No one came  
56 forward, and staff confirmed there were no online comments for this item.
- 57 • Chair noted that a member of the fire department was present and suggested they could provide  
58 background when the commission reached the ordinance discussion later in the meeting.
- 59 • The public hearing for Item 2 was closed without comment.

60

61 **11 MIN. 30 SEC.**

62

63 ➤ **Item No. 3 PCC Amendment – PCC 1-3-2 Residence for persons with disabilities:** The  
64 Providence City Planning Commission will take comments and questions from the public regarding a  
65 proposed code amendment to Providence City Code 1-3-2, definition of residence for persons with  
disabilities.

- 66 • Multiple residents provided comments regarding the proposed code amendment to clarify the  
67 definition of residence for persons with disabilities. The public hearing received substantive  
68 input from both sides:
- 69 • Supporters of the clarification, led by Shea Studinger, emphasized that the amendment would  
70 ensure all homes abide by the same ordinances regardless of who lives in them.
- 71 • Jay Hymas, CEO of Clear Recovery of Cache Valley, opposed the amendment, stating that it  
72 would restrict housing for individuals with disabilities, particularly those with substance use  
73 disorders and mental health issues. He argued the amendment violates federal and state  
74 protections including the Fair Housing Act and Utah Code.
- 75 • Several representatives from Clear Recovery and individuals in recovery shared personal  
76 experiences about the importance of treatment facilities and recovery housing. They emphasized  
77 that disability housing should not be limited by the same occupancy restrictions as regular family  
78 homes.
- 79 • Residents from the neighborhood near the proposed Clear Recovery facility expressed support  
80 for the code clarification, arguing it would protect the single-family residential nature of the area.
- 81 • Ty Cameron, City Recorder, read emailed comments on the record.
- 82 • No further comments were made.
- 83 • Chair Henke closed the public hearing.

84

85 **Legislative – Action Item(s):**

86

87 **1 HR. 19 MIN. 50 SEC.**

88

➤ **Item No. 4 Wildland Urban Interface proposed code amendment recommendation:** The  
Providence City Planning Commission will review, discuss and may make a recommendation to the city

89 council regarding a proposed code amendment to Providence City Code 9-6-7 & 10-5-7 as it relates to  
90 the city's Wildland Urban Interface Code. **(STAFF REPORT)**

91     • Ryan Snow began the presentation, explaining that the state has passed new legislation requiring  
92        cities to adopt the latest wildland urban interface building code. He detailed that the requirement  
93        includes both adopting the code and establishing a map designating WUI areas within the city.  
94        Ryan explained that cities can choose the risk level for their maps, giving examples of drawing  
95        the line along the Deer Fence Trail (affecting only those building above the trail) or at the base of  
96        the bench (affecting all bench residents).  
97     • He then introduced a concerning aspect of the state legislation: Whatever that line is and as the  
98        state moves forward to clarify there will be a fee attached based on the square footage and on the  
99        risk of the home that there will be an additional fee assessed to your property taxes that will go  
100        into the state. He noted this fee would help fund wildland firefighting efforts, and pointed out  
101        that local representative Casey Snider was the sponsor of this bill.  
102     • Robert LaCroix, Operations Fire Chief for Logan City Fire Department (which provides fire  
103        protection for Providence City), was introduced to provide additional information. He clarified  
104        that HB 48, passed in the spring, requires two things: first, the state will develop their own risk  
105        map (which hasn't been released yet), and second, cities must adopt the 2006 wildland urban  
106        interface fire code.  
107     • Chief LaCroix emphasized the critical importance of adopting the code: If we don't adopt it, right  
108        now we belong to what's called the CWS which is the Cooperative Wildfire System. And we pay  
109        into a fund by sweat equity... it's like 4100 dollars, insurance fee. He explained that without this  
110        adoption, if a fire starts in Providence and spreads to state land, Providence would be responsible  
111        for the entire cost. He gave a sobering example: This year we had a fire in North Logan, 16 acres  
112        started in North Logan and went into state land, that fire significant amount dollars for 16 acres,  
113        fortunately it was covered.  
114     • A planning commissioner asked about the meaning of "7" on the risk scale. The Chief explained  
115        it refers to a structure exposure score based on previous fire history, topography, and other  
116        factors. He clarified there would be two different maps - Providence's map for code enforcement  
117        and the state's map for fee assessment.  
118     • The discussion revealed significant confusion about the two-map system. When asked about the  
119        purpose of having two maps, Chief explained: HB 48 states that we have to adopt the 2006 code,  
120        WUI code, and have a WUI designated area. He emphasized that Providence's map determines  
121        where the 2006 building code applies, while the state's map (to be released around June) will  
122        determine which properties pay additional fees.  
123     • Ryan added that for the first two years (2006 and 2007), there would be a flat fee based on  
124        square footage. After 2028, properties would receive individual risk assessments rating them as  
125        high, medium, or low risk, with fees adjusted accordingly. Properties not requesting inspection  
126        would automatically receive the highest risk rating.  
127     • Parties clarified the two issues  
128        ○ The city must adopt the 2006 code and designate a wildland urban interface area  
129        ○ The state will create its own risk map, which will determine which properties will be  
130        assessed fees.

131     **Motion to recommend to the City Council adoption of the 2006 code and accept the  
132        recommendations of staff based on the findings of facts, conclusion of law and conditions as set**

134  
135 forth for the code 9-6-7 and 10-5-7 as it relates to the Wildland Urban Interface Code. –  
136 Michael Fortune. 2<sup>nd</sup>- Joe Chambers.

137 **Vote:**

138 **Yea- John Petersen, Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.**

139 **Nay-**

140 **Abstained-**

141 **Absent-**

142 **Motion passed unanimously.**

143 **1 HR. 47 MIN. 30 SEC.**

144 ➤ **Item No. 5 PCC Amendment – PCC 1-3-2 Residence for persons with disabilities:** The Providence  
145 City Planning Commission will review, discuss and may make a recommendation to the City Council  
146 regarding a proposed code amendment to Providence City Code 1-3-2, definition of Residence for  
147 persons with disabilities. [\*\*\(AMENDMENT\)\*\*](#)

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- The commission moved to discuss the proposed code amendment regarding the definition of residence for persons with disabilities. Skarlet Bankhead presented the staff report, explaining that concerns had been raised about the current definition's clarity regarding what type of dwelling units it applied to.
- Skarlet Bankhead explained that it clarifies the definition of "residence for persons with disabilities" by adding the phrase "which complies with the laws applicable to the type of dwelling being occupied."
- She explained that this clarification consolidates what is already in the code but not easily found in one place. The amendment also updates the Utah code references which were outdated.
- Commission asked about occupancy limits for rental homes. Skarlet explained that state code prohibits cities from having a limit less than 4 for unrelated persons renting together. She clarified that the definition of family includes a single person living alone, a traditional family unit with head of household and relatives, or up to 4 unrelated persons.
- Joe Chambers identified what appeared to be a spelling error in paragraph D, questioning whether "for" should be "or" in the phrase "which is licensed for certified by."
- Several commissioners sought clarification on what the amendment actually does. Ryan Snow explained that the current code allows up to four unrelated individuals to live in a residential dwelling unit, regardless of whether they have disabilities or not.
- The amendment clarifies that the dwelling type restrictions apply to all residences, including those for persons with disabilities.
- Joe Chambers noted that while he attended the variance hearing he did not stay and this does not believe there is a conflict of interest as this item was a public hearing and is a code amendment.

172 **Motion to recommend to the City Council adoption of the code amendment to Providence City**  
173 **Code 1-3-2, the definition of residence for persons with disabilities.**

174 **Vote:**

175 **Yea- John Petersen, Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.**

176 **Nay-**

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178      **Abstained-**  
179      **Absent-**

180      **Motion passed unanimously.**

181      **2 HR. 42 MIN. 20 SEC.**

183      ➤ **Item No. 6 PCC Addition - PCC 10-9-8 Mining and Similar Activities Update:** The Providence  
184      City Planning Commission will review, discuss and may make a recommendation to the City Council  
185      regarding a proposed new code to the Providence City Code; 10-9-8 Mining and Similar Activities.  
186      **(PCC 10-9-8 UPDATED REVIEW)**

188      • Skarlet Bankhead presented the updated proposed code for Mining and Similar Activities,  
189      incorporating suggestions from the previous meeting. Changes included:  
190          ○ Adding specific safety standards (MSHA and OSHA standards)  
191          ○ Defining the mining area to include staging areas, crushing areas, and other related  
192               spaces  
193          ○ Establishing distance requirements: mining area must be 200 feet from the nearest  
194               residential structure, and crushers must be 500 feet away  
195          ○ Security and fencing requirements  
196          ○ Signage requirements  
197          ○ Clarification on hours of operation for both on-site work and truck routes  
198          ○ Requirement that truck routes avoid school zones when possible  
199      • Parties suggested changing the distance requirement wording from "nearest residential structure"  
200      to "nearest residential property line with an existing residential structure."  
201      • The commission discussed whether to prohibit mining entirely. Skarlet noted you can if we  
202      chose to do that. We could not have mining in the city... Remember, that goes for city projects  
203      too. So if the city felt like it was more economical and feasible to dig out and crush in an area,  
204      we would not be able to do it.  
205      • *Michael Fortune was excused from the meeting. Bob Perry is now a voting member.*  
206      • Commissioner Chambers recommended adding provisions that would allow the administrative  
207      land use authority to establish conditions for truck travel on steep grades, including brake checks  
208      and prohibiting shifting on hills.

210      **Motion to recommend to the City Council adoption of the changes in the mining and similar  
211      activities code (Item No. 6) with the changes discussed regarding property lines and truck safety  
212      measures on steep grades. – John Petersen. 2<sup>nd</sup>- Bob Perry.**

213      **Vote:**

214      **Yea- John Petersen, Robert Henke, Julie Martin, Bob Perry & Joe Chambers.**

215      **Nay-**

216      **Abstained-**

217      **Absent-**

219      **Motion passed unanimously.**

221 **Administrative Action Item(s):**

222 **2 HR. 20 MIN. 30 SEC.**

223 ➤ **Item No. 7 Wilson Meadows Preliminary Plat:** The Planning Commission will review, discuss  
 224 and may take action on approving the Wilson Meadows preliminary plat from Timber Brook Homes.  
 225 **(STAFF REPORT)**

226 • The Commission changed the order of items to accommodate attendees and took up Item No. 7 before  
 227 Item No. 6.

228     • Skarlet Bankhead presented the Wilson Meadows preliminary plat from Timberbrook Homes.  
 229 She explained that while the property is zoned single-family high (which allows lots as small as  
 230 6,000 square feet), the developer has recorded a deed restriction requiring all residential lots to  
 231 be a minimum of 9,250 square feet.  
 232     • Parties discussed zoning history and City Councils previous meeting and approval of the zone.  
 233     • Parties discussed cul-du-sacs but realized that it was not feasible in this area and that the general  
 234 plan called for a through street.  
 235     • She noted that the development would extend 325 West as a local road from Meadowridge Park  
 236 to 100 South. Ms. Bankhead recommended approval with conditions including addressing  
 237 comments in the staff report, engineering review, and fire marshal review.  
 238     • Dallin Tolman, representing the developer, stated they had already addressed most of the  
 239 conditions noted in the report. He also addressed a question about a cul-de-sac, explaining that  
 240 per city ordinance, a through street is required when a road extends two blocks.  
 241

242 **Motion to approve the Wilson Meadows preliminary plat with the conditions of addressing the**  
 243 **comments in red, addressing the comments by the engineering review, as well as the fire**  
 244 **marshal review, and that the applicant will continue to meet all of the federal, state, county,**  
 245 **and Providence rules and laws as stated in the application per the findings of facts and**  
 246 **conclusions of law as found in the staff report. – Julie Martin. 2<sup>nd</sup>- Michael Fortune.**

247 **Vote:**

248 **Yea- Robert Henke, Julie Martin, Michael Fortune & Joe Chambers.**

249 **Nay- John Petersen**

250 **Abstained-**

251 **Absent-**

252 **Motion passed, preliminary plat approved.**

253 **Study Items(s):**

254 ➤ **Item No. 8 PCC 10-8-10 Affordable Housing Incentives code addition:** The Planning Commission  
 255 will discuss, review and may move forward with setting a public hearing regarding PCC 10-8-10  
 256 Affordable Housing Incentives. **(CODE REVIEW)**

257     • This item was tabled until the next meeting due to time constraints

260 **Motion to adjourn the meeting. – Julie Martin. 2<sup>nd</sup>- John Petersen.**

261 **Vote:**

262 **Yea- John Petersen, Robert Henke, Julie Martin, Bob Perry & Joe Chambers.**

263 **Nay-**

264 **Abstained-**

265 **Absent-**

266  
267 **Motion passed, meeting adjourned.**

268

269 **Minutes approved by vote of commission on \_\_\_\_\_ day of \_\_\_\_\_.**

270

271 **I swear these minutes are true and correct to the best of my knowledge.**

272

273 \_\_\_\_\_

274 **Ty Cameron, City Recorder.**